



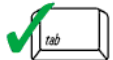
Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Stage II Vapor Recovery Program

Stage II Form E

Change of Stage II System Owner, Operator, Lessee or
Controller Notification

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Stage II System Documentation Currently On Record with DEP

Name of the Stage II facility currently on record in the Department's Stage II database (please print)

Facility address

City/town

State

Zip code

Department Customer Code #

B. Revised Stage II System Documentation

1. Has the name the Stage II facility, on record in the Department's Stage II database, changed?

☐ Yes

☐ No

If yes, please complete the information below. If no, continue to B.2.

New name of facility where the Stage II System is installed (please print)

Facility address

City/town

State

Zip code

2. Has the name or address of Stage II System Responsible Official #1 or #2, on record in the Department's Stage II database, changed?

☐ Yes

☐ No

If yes, please complete the information below, as applicable. If no, continue to B.4.

Stage II System Responsible Official #1 (point of contact for Stage II related correspondence):

Name of new Stage II System Responsible Official #1 (please print)

Telephone number

Mailing address

City/town

State

Zip code

Stage II System Responsible Official #2 (fill out only if applicable):

Name of new Stage II System Responsible Official #1 (please print)

Telephone number

Mailing address

City/town

State

Zip code



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B. Revised Stage II System Documentation (cont.)

3. Source of Authority for each Stage II System Responsible Official (RO), as applicable. **Please check only one box for each RO.**

If a Corporation, an official with authority to bind the Corporation:

	RO #1	RO #2		RO #1	RO #2
President	<input type="checkbox"/>	<input type="checkbox"/>	Vice President	<input type="checkbox"/>	<input type="checkbox"/>
Secretary	<input type="checkbox"/>	<input type="checkbox"/>	Other person who performs a similar policy-		
Treasurer	<input type="checkbox"/>	<input type="checkbox"/>	making or decision-making function of the		
			Corporation	<input type="checkbox"/>	<input type="checkbox"/>

If a Partnership, a general partner

☐ ☐

If a Sole Proprietorship, the proprietor

☐ ☐

If a municipality/public agency, a principal executive official
or ranking elected official with authority to enter into contracts
on behalf of municipality/public agency.

☐ ☐

**Important: Please provide the effective date each new
Responsible Official assumed his/her responsibilities, as
applicable.**

RO #1: ____ / ____ / ____

RO #2: ____ / ____ / ____

4. Stage II Annual Compliance Fee Billing Address

Has the person, name of the company or the address on record in
the Department's Stage II database as paying the Stage II Annual
Compliance Fee, changed?

☐ Yes

☐ No

If yes, please complete the information below. If no, continue to Section C.

Stage II Annual Compliance Fee Billing Address:

Name of person to whom compliance fee shall be billed (please print)

Telephone Number

Name of new company

Federal Employer ID # - FEIN

Mailing address

City/town

State

Zip code

**Important: Please provide the effective date the new company
assumed responsibility for paying the Stage II Annual Compliance
Fee.**

____ / ____ / ____

Section D is to
be completed by
Stage II System
Responsible
Official(s) only.

C. Stage II Facility Compliance Certification

1. Facility Operation, Maintenance and Record Keeping

- a. Are you in compliance with the requirements to correctly operate and maintain the Stage II
system in accordance with the system's currently applicable Executive Order?

☐ Yes

☐ No (If no, see D.2 below)

Stage II System Responsible Official attesting to compliance status

☐ #1

☐ #2



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C. Stage II Facility Compliance Certification (cont.)

- b. Are you in compliance with the requirements to visually inspect the Stage II system every seven days to determine if any components are incorrectly installed, nonfunctioning or broken?

☐ Yes ☐ No (If no, see D.2 below)

Stage II System Responsible Official attesting to compliance status ☐ #1 ☐ #2

- c. Are you in compliance with the requirements to immediately repair or remove from service incorrectly installed, nonfunctioning or broken components and to conspicuously post “Out of Service” signs on such components not immediately repaired?

☐ Yes ☐ No (If no, see D.2 below)

Stage II System Responsible Official attesting to compliance status ☐ #1 ☐ #2

- d. Are you in compliance with the requirements to conspicuously post “Out of Service” signs on incorrectly installed, nonfunctioning or broken components immediately upon being taken out of service?

☐ Yes ☐ No (If no, see D.2 below)

Stage II System Responsible Official attesting to compliance status ☐ #1 ☐ #2

- e. Are you in compliance with the requirements to re-install, repair or replace all incorrectly installed, nonfunctioning or broken components within 14 days of determination or to take such components out of service in accordance with the interim DEP Policy on Dispensing of Gasoline Through a Stage II System With Defective Components?

☐ Yes ☐ No (If no, see D.2 below)

Stage II System Responsible Official attesting to compliance status ☐ #1 ☐ #2

- f. Are you in compliance with the requirements to correctly maintain on-site, all inspector training and Stage II system maintenance records?

☐ Yes ☐ No (If no, see D.2 below)

Stage II System Responsible Official attesting to compliance status ☐ #1 ☐ #2

I certify that, where I have indicated that I am the Stage II System Responsible Official, **(a)** I have personally examined the foregoing and am familiar with the information contained in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment; **(b)** systems¹ to maintain compliance are in place at the facility and will be maintained for the coming year even if the processes or operating procedures are changed over the course of the year; and, **(c)** I am fully authorized to make this attestation on behalf of the facility.

Printed Name of Stage II System Responsible Official #1

Signature of Stage II System Responsible Official #1

Date

Printed Name of Stage II System Responsible Official #2

Signature of Stage II System Responsible Official #2

Date

¹ For purposes of this statement, “systems to maintain compliance” means procedures that the Stage II facility owner and/ or operator has established to ensure that weekly visual inspections and required tests are conducted, that broken or defective components are repaired, replaced or isolated and that required records are maintained.

Stage II Vapor Recovery Program Instructions for Completing Form E

Stage II Form E Change of Stage II System Owner, Operator, Lessee or Controller Notification

These instructions have been designed to assist those who own and/or manage Stage II systems in completing forms required by the Department of Environmental Protection (DEP). Please refer to the full text of the Stage II Program regulations (310 CMR 7.00, Definitions, and 310 CMR 7.24(6), Dispensing of Motor Vehicle Fuel), which govern this Program. These instructions do not create any legal rights, and do not substitute for the Program regulations. To ensure that you are using the most current version of the Stage II forms and instructions, please call the Stage II Hotline (617/556-1035), or check the Stage II web page <http://www.state.ma.us/dep/bwp/daqc/daqcpubs.htm#stageii>

When Is Form E Used? Form E is used to notify DEP of a change in a facility's Stage II System owner, operator, lessee or controller.

When Is a Form E Submitted to DEP? Form E must be submitted to DEP within 30 days of any person entering into a purchase, lease or other contractual agreement by which the person becomes the owner, operator, lessee or controller of a Stage II system.

Who Must Sign Form E? To ensure the entire Stage II system is installed, operated, and maintained in accordance with program requirements all questions contained in Section C (Stage II Facility Compliance Certification) must be completed by the person responsible for ensuring compliance for that aspect of Stage II program requirements. If only one person is responsible for all aspects of Stage II program requirements, then that person should fully answer all questions contained in Section C and sign Form E as Stage II System Responsible Official #1. If two people are responsible for different aspects of the Stage II program requirements, then each person must answer those questions contained in Section C for which he/she is responsible, and sign Form E as Stage II System Responsible Official # 1 or Stage II System Responsible Official #2, as identified in Section A. 2 and 3.

The Responsible Official must review all information about Stage II system compliance activities required by Form E (including backup information that provides the basis for answers to questions on this Form) to make sure that the information is true, accurate and complete. If more than one person has been designated as a Responsible Official for a Stage II System, then each person needs to review the information appropriate to the question he or she is answering. The Responsible Official(s) can base his or her certification on an inquiry of the individuals responsible for obtaining information about applicable compliance activities. Stage II System Responsible Official #1 is the point of contact for Stage II-related communication with the Department.

Who is Eligible to be the Stage II System Responsible Official? The type of person who may serve as the Stage II System's Responsible Official depends on the type of entity that owns, operates, leases, or controls the system. The Responsible Official must be:

- In a sole proprietorship, the company's sole proprietor.
- In a partnership, a general partner with authority to bind the partnership.
- In a corporation or a non-profit corporation, a corporate official with authority to bind the corporation, e.g., president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy-making or decision making functions of the corporation.
- In a municipality or other public agency, a principal executive officer or ranking elected official who is empowered to enter into contracts on behalf of the municipality or public agency.

Please note: Within a corporation or a municipality or other public agency, the Stage II System Responsible Official must have the authority to bind the organization with respect to Stage II systems for which he or she has been designated as “Stage II System Responsible Official”. For example, in a large corporation, a district manager may be designated to serve as the Responsible Official for one or several Stage II Systems, as long as the designee has obtained the needed authority from the corporation.

What Must the Stage II System Responsible Official Attest To? By signing Form E, the Stage II System Responsible Official attests that, for each aspect of Stage II program compliance he or she is responsible:

- he or she has personally examined, and is familiar with, the information contained in the form and all its attachments;
- based on his or her inquiry of the person(s) responsible for providing the information, the information to which he or she is attesting is true, accurate and complete;
- systems to maintain compliance are in place at the facility;

Please Note: For purposes of this statement, “systems to maintain compliance” means procedures that the Stage II facility owner and/or operator has established to ensure that weekly visual inspections and required tests are conducted, that broken or defective components are repaired, replaced or isolated and that required records are maintained

- he or she is authorized to attest on behalf of the facility; and
- he or she is aware that there are significant penalties for submitting false information, including possible fines and imprisonment.

How Should Form E be Submitted to DEP? Form E, with all original signatures, must be mailed via the US Postal Service to:

Department of Environmental Protection
Bureau of Waste Prevention – Stage II Program
One Winter Street, 8th Floor
Boston, MA 02108

Please Note: faxes, other copies and hand-delivered forms will not be accepted.

Directions For Completing Form E

Section A. Current Stage II Facility Name

To ensure the correct facility records are updated, please provide the Stage II facility’s name, address and Department customer code number as currently found in DEP’s Stage II database.

- A facility’s customer code number can be found in the upper right hand corner of the facility’s pre-completed Form B (if applicable), C, D1, D2 or a recent Stage II Annual Compliance Fee invoice.

Section B. Revised Stage II System Documentation

1. Stage II Facility Name

This sub-section shall be completed only if the name of the Stage II facility has changed.

2. Stage II System Responsible Official(s)

This sub-section shall be completed only if the name and/or address of the Stage II System Responsible Official(s) has changed. Check the correct box indicating the source of Responsible Official’s authority.

3. Company Paying the Annual Stage II Compliance Fee

This sub-section shall be completed only if the name and/or address of the company paying the annual Stage II Compliance Fee has changed.

- To ensure correct billing, please provide the effective date the new company became responsible for paying the Stage II Annual Compliance Fee.

Section C. Compliance Certification

Sign and date the form in the appropriate place as required.

Please Note: If the Stage II System Responsible Official on record in the Department's Stage II database has changed, the new Stage II System Responsible Official must sign the certification contained in Section C. of this Form E.

If you have questions or need more information, please call DEP's Stage II Hotline (617/556-1035).

The Hotline can provide:

- Stage II facility information on record in the DEP Stage II database.
- Help with finding your Stage II System's Executive Order number.
- A copy of your Stage II System's Executive Order.
- Blank forms.
- DEP fact sheets, inspection checklists and compliance assistance materials.

Blank forms and instructions, and program regulations are also available at DEP's Stage II web page <http://www.mass.gov/dep/bwp/daqc/daqcpubs.htm#stageii> Additional compliance assistance materials, fact sheets, inspection check lists, etc. will be posted as they are developed.